

Message Text

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70

ACTION ACDA-10

INFO OCT-01 EUR-12 EA-06 IO-10 ISO-00 OES-03 FEA-01 AEC-05

CIAE-00 H-01 INR-07 L-02 NSAE-00 OIC-02 OMB-01 PA-01

PM-03 PRS-01 SAJ-01 SAM-01 SP-02 SS-15 USIA-06

TRSE-00 RSC-01 NSC-05 BIB-01 AF-06 ARA-06 NEA-09 /119 W

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R 171446Z JAN 75

FM USMISSION IAEA VIENNA

TO SECSTATE WASHDC 5391

INFO AMEMBASSY BONN

AMEMBASSY BRUSSELS

USMISSION EC BRUSSELS

USMISSION GENEVA

AMEMBASSY LONDON

AMEMBASSY LUXEMBOURG

AMEMBASSY MOSCOW

USMISSION NATO

AMEMBASSY OTTAWA

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY THE HAGUE

AMEMBASSY TOKYO

C O N F I D E N T I A L SECTION TWO OF TWO VIENNA 0417

SUPPLIER STATES (US, SOVIETS, CANADA, FOR EXAMPLE) ALSO
ACQUIESCED.

5. ABOVE REPORT OF PURPORTED ITALIAN INTEREST IN PURSUING
THE ARTICLE 25(B) OPTION IS NOT ONLY AT VARIANCE WITH
DARIN'S COMMENTS REF A BUT REFLECTS MORE OPTIMISM WITH
RESPECT TO GERMAN DUTCH, AND BELGIAN AGREEMENT THAN APPEARS TO
BE JUSTIFIED BY EARLIER REPORTING. ITALIAN VIEW, AS
REFLECTED BY VIENNA MISSION, IS THAT DUTCH AND GERMANS ARE
NOW PRIMARILY MOTIVATED BY DESIRE TO DEPOSIT THEIR NPT
RATIFICATION INSTRUMENTS IN SUFFICIENT TIME TO ASSURE
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FULL PARTICIPATION IN MAY NPT REVIEW CONFERENCE. WE HAVE
NO INFO TO EFFECT THAT THIS IS FINAL POSITION OF EITHER
DUTCH OR GERMANS, AND ARE INCLINED TO DOUBT IT. CANADIAN
MISSION HERE, FOR EXAMPLE, HAS JUST INFORMED US TO THE

CONTRARY, NAMELY, THAT THEIR INFORMATION FROM BRUSSELS SUGGESTS THAT IT NOW UNLIKELY COMMISSION WILL ENDORSE THE WAIVER OF ARTICLE 25(B) AND THAT MOST EURATOM STATES SUPPORT THIS VIEW OF THE MATTER. CANADIANS' JUDGMENT IS THAT ARTICLE 25(B) PLOY HAS BECOME A DEAD LETTER AND THERE LITTLE LIKELIHOOD THAT THE EC WOULD REVERSE ITS EARLIER DECISION TO EFFECT THAT SAFEGUARDS AGREEMENT COULD NOT ENTER INTO EFFECT UNTIL ALL EURATOM PARTY STATES (ITALY, FRG, BENELUX) HAD DEPOSITED NPT RATIFICATION.

6. THE QUESTION OF THE PREVIOUS EC DECISION IS PUZZLING. UK AND OTHERS ASSURE US THERE IS SUCH A DECISION, WHICH COULD NOT BE OVERRIDDEN BY EXECUTIVE ACTION, BUT KNOWLEDGEABLE SECRETARIAT LAWYER (STEIN) SAYS EC LAWYERS HAVE NOT RAISED THIS SUBJECT WITH HIM IN RESPONSE HIS QUERIES RE THEIR VIEWS ON LEGALITY OF ARTICLE 25(B) APPROACH. (COMMENT: PERHAPS DEPT OR EC BRUSSELS MISSION CAN SHED SOME LIGHT.)

7. CANADIANS HAVE SHOWN SUBSTANTIAL INTEREST IN QUESTION OF ITALIAN RATIFICATION, AS ROME 10341 SUGGESTS. THIS INTEREST STEMS BOTH FROM CANADA'S MAJOR ROLE AS A SUPPLIER OF NATURAL URANIUM TO ITALY, AS WELL AS RECENT DECISION TO PROCEED NEGOTIATE A LICENSING ARRANGEMENT TO SUPPLY CANDU REACTOR UNITS IN ITALY. MISSION IS NOT CLEAR TO WHAT EXTENT CANADIANS ARE USING THEIR IMPORTANT SUPPLIER ROLE AS A LEVER IN PUSHING GOI ON NPT RATIFICATION, BUT THEIR NEWLY ENUNCIATED POLICIES WITH RESPECT TO SAFEGUARDS ON NUCLEAR EXPORTS (WITH SPECIFIC REFERENCE OF ITALIAN DEAL) HAS AN IMPORTANT BEARING, GIVEN THEIR PARTICULAR CONCERNS RE SAFEGUARDS ON EXPORT OF NUCLEAR TECHNOLOGY. MISSION WOULD URGE DEPARTMENT TO INCLUDE THIS SUBJECT IN FUTURE CONSULTATIONS WITH CANADIANS ON NON-PROLIFERATION ISSUES.

8. COMMENT: ITALIAN NPT QUESTION SEEMS TO BE REACHING
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CRITICAL PHASE, AND OUTCOME COULD HAVE PERHAPS OVERRIDING IMPACT ON ATTITUDE OF OTHER STATES ON NPT RATIFICATION--ABOVE ALL, JAPAN. THE MORE WE LOOK AT THE PROPOSAL TO USE THE WAIVER OF ARTICLE 25(B) TO BRING EURATOM SAFEGUARDS AGREEMENT INTO EFFECT WITHOUT ITALIAN RATIFICATION, THE LESS WE LIKE IT. IT COULD CAUSE MAJOR, IF NOT FATAL, DAMAGE TO THE TREATY, IF THE US AND OTHER NUCLEAR SUPPLIERS TO ITALY ACCEPTED A PROPOSAL WHICH WOULD HAVE EFFECT OF ELIMINATING THE NECESSITY FOR ITALIAN RATIFICATION.

9. IF DEPT CONCURS, WE BELIEVE ITALIANS SHOULD NOT BE LEFT IN DOUBT TOO MUCH LONGER WITH REGARD US POSITION, IF

INDEED DEPT SHARES OUR CONCERN WITH RESPECT TO POSSIBLE
DAMAGE TO NPT WHICH MIGHT RESULT. PERHAPS ITALIAN MISSION
HERE IS STILL OPERATING FROM EARLIER INSTRUCTIONS WHICH
(IF ONE BELIEVES DARIN) ARE NO LONGER VALID, BUT WE WOULD
INCLINE TO BELIEF THAT DUCCI-GAJA ARE CONTINUING TO MOVE
AHEAD ON THE ARTICLE 25(B) WAIVER OPTION TO FORESTALL
A GOI DECISION TO PUSH FOR EARLY NPT RATIFICATION. IF
THIS APPEARS TOO MACHIAVELLIAN A JUDGMENT, AT LEAST WE
SHOULD FIND OUT WHAT IS REALLY HAPPENING.
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